

01/03/2003 11:24:52 AM
Page 1

2003 DRAFTING REQUEST

Assembly Joint Resolution

Received: 11/07/2002

Received By: pdykman

Wanted: Soon

Identical to LRB:

For: Steven Foti (608) 266-2401

By/Representing: Adam Raschka

This file may be shown to any legislator: NO

Drafter: pdykman

May Contact:

Addl. Drafters:

Subject: Constitutional Amendments
Elections - miscellaneous
Counties - miscellaneous
Munis - miscellaneous

Extra Copies: JTK
MES

Submit via email: YES

Requester's email: Rep.Foti@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

4-year terms of office for cetain county officers

Instructions:

See Attached 2001 AJR 13 for Rep. Foti last session. the same resolution drafted for 2003 with the addition of the amendment you drafted which was adoped on the floor.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pdymkan 11/07/2002	kgilfoy 11/12/2002		_____			
/1	pdymkan	kgilfoy	rschlue	_____	lemery		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	12/19/2002	12/19/2002	11/13/2002	_____	11/13/2002		
/2			pgreensl 12/19/2002	_____ _____	amentkow 12/19/2002	amentkow 01/03/2003	

FE Sent For:

<END>

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May Contact:

Addl. Drafters:

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Elections - miscellaneous
Counties - miscellaneous
Munis - miscellaneous

Extra Copies: **JTK**
MES

Submit via email: **YES**Requester's email: **Rep.Foti@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

4-year terms of office for certain county officers

Instructions:

See Attached 2001 AJR 13 for Rep. Foti last session. the same resolution drafted for 2003 with the addition of the amendment you drafted which was adopted on the floor.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pdykman 11/07/2002	kgilfoy 11/12/2002					
/1	pdykman	kgilfoy	rschluet		lemery		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	12/19/2002	12/19/2002	11/13/2002		11/13/2002		
/2			pgreensl		amentkow		
			12/19/2002		12/19/2002		

FE Sent For:

<END>

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Addl. Drafters:

Extra Copies: JTK
 MES

Submit via email: YES

Requester's email: Rep.Foti@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

4-year terms of office for certain county officers

Instructions:

See Attached 2001 AJR 13 for Rep. Foti last session. the same resolution drafted for 2003 with the addition of the amendment you drafted which was adopted on the floor.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pdykman 11/07/2002	kgilfoy 11/12/2002	12/19 PS	12/19		55 Senate	
/1		12-12/19 Kmg	rschluet	22/19	lemery		

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LRB-0633

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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			11/13/2002		11/13/2002		
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FE Sent For:

<END>

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For: Steven Foti (608) 266-2401

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Submit via email: YES

Requester's email: Rep.Foti@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

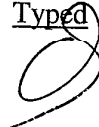

Topic:

4-year terms of office for certain county officers

Instructions:

See Attached 2001 AJR 13 for Rep. Foti last session. the same resolution drafted for 2003 with the addition of the amendment you drafted which was adopted on the floor.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
FE Sent For:		1-11/12 Kmg					
				11-13-2<END>			

2001 ASSEMBLY JOINT RESOLUTION 13

January 19, 2001 - Introduced by Representatives KRAWCZYK, FOTI, KRUSICK, McCORMICK, STARZYK, FRISKE, AINSWORTH, DUFF, GUNDERSON, HAHN, HUEBSCH, GROTHMAN, JOHNSRUD, JESKEWITZ, KEDZIE, KESTELL, F. LASEE, LADWIG, M. LEHMAN, MONTGOMERY, MUSSER, OLSEN, OWENS, POWERS, PETTIS, SKINDRUD, STEINBRINK, TOWNSEND, TURNER, VRAKAS, URBAN, WADE, WALKER and WILLIAMS, cosponsored by Senators RISSE, HARS DORF, S. FITZGERALD, BRESKE, DARLING, FARROW, HUELSMAN, A. LASEE, ROESSLER, SCHULTZ and WELCH. Referred to Committee on Judiciary.

Gen. Asst.

1 To amend so as in effect **to repeal** section 4 (3) (c) of article VI; **to renumber and**
2 **amend** section 4 (1) of article VI and section 12 of article VII; **to amend** section
3 4 (4) of article VI; and **to create** section 4 (1) (b) and (c) of article VI and section
4 12 (2) of article VII of the constitution; **relating to:** 4-year terms of office for
5 certain county officers (first consideration).

Analysis by the Legislative Reference Bureau

Currently, the constitution provides for the election every 4 years of county sheriffs, and every 2 years of clerks of circuit court, registers of deeds, and district attorneys, and, unless a county appoints a medical examiner, coroners. Under current statutes, county clerks and treasurers, and surveyors unless a county appoints a surveyor, are also elected every 2 years, except that the constitution abolishes the offices of coroner and surveyor in counties having a population of 500,000 or more.

This proposed constitutional amendment, proposed to the 2001 legislature on first consideration, requires counties to elect county clerks and treasurers every 4 years, and changes the terms of office from 2 years to 4 years for district attorneys, coroners, elected surveyors, registers of deeds, treasurers, county clerks, and clerks of circuit court. For clerks of circuit court and coroners, the first elections to 4-year terms will be held concurrently with the first gubernatorial election following ratification, which is when the constitution provides that sheriffs are to be first elected to 4-year terms. For district attorneys, elected surveyors, registers of deeds,

treasurers, and county clerks, the first elections to 4-year terms will be held concurrently with the first presidential election following ratification.

The proposal does not change the times for holding regular elections for any county offices, and does not affect the terms of office of elected county chief executive officers (they already serve 4-year terms) or the terms of office of county supervisors or sheriffs.

A constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

Resolved by the assembly, the senate concurring, That:

SECTION 1. Section 4 (1) of article VI of the constitution is renumbered section

4 (1) (a) of article VI and amended to read:

[Article VI] Section 4 (1) (a) Except as provided in pars. (b) and (c) and sub. (2), coroners, registers of deeds, district attorneys, and all other elected county officers, except judicial officers, sheriffs, and chief executive officers, shall be chosen by the electors of the respective counties once in every 2 years.

SECTION 2. Section 4 (1) (b) and (c) of article VI of the constitution are created to read:

[Article VI] Section 4 (1) (b) Beginning with the first general election at which the governor is elected which occurs after the ratification of this paragraph, sheriffs shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years and coroners in counties in which there is a coroner shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years.

(c) Beginning with the first general election at which the president is elected which occurs after the ratification of this paragraph, district attorneys, registers of deeds, clerks, and treasurers shall be chosen by the electors of the respective

proof
w/constitution

← comma

1 counties, or by the electors of all of the respective counties comprising each
2 combination of counties combined by the legislature for that purpose, for the term
3 of 4 years and surveyors in counties in which the office of surveyor is filled by election
4 shall be chosen by the electors of the respective counties, or by the electors of all of
5 the respective counties comprising each combination of counties combined by the
6 legislature for that purpose, for the term of 4 years.

7 **SECTION 3.** Section 4 (3) (c) of article VI of the constitution is amended so as in
8 effect to repeal said paragraph:

9 [Article VI] Section 4 (3) (c) ~~Beginning with the first general election at which~~
10 ~~the governor is elected which occurs after the ratification of this paragraph, sheriffs~~
11 ~~shall be chosen by the electors of the respective counties once in every 4 years.~~

12 **SECTION 4.** Section 4 (4) of article VI of the constitution is amended to read:

13 [Article VI] Section 4 (4) The governor may remove any elected county officer
14 mentioned in this section except a clerk, treasurer, or surveyor, giving to the officer
15 a copy of the charges and an opportunity of being heard.

16 **SECTION 5.** Section 12 of article VII of the constitution is renumbered section
17 12 (1) of article VII and amended to read:

18 [Article VII] Section 12 (1) There shall be a clerk of the circuit court chosen in
19 each county organized for judicial purposes by the qualified electors thereof, who,
20 except as provided in sub. (2), shall hold his office for two years, subject to removal
21 as ~~shall be provided by law; in~~

22 (3) In case of a vacancy, the judge of the circuit court shall ~~have power to~~ may
23 appoint a clerk until the vacancy ~~shall be~~ is filled by an election; ~~the~~

24 (4) The clerk thus elected or appointed of circuit court shall give such security
25 as the legislature ~~may require~~ requires by law.

*proposed
w/constitution*

2001 - 2002 LEGISLATURE

LRBa0166/1
PJD:kmg:jf

**ASSEMBLY AMENDMENT 1,
TO 2001 ASSEMBLY JOINT RESOLUTION 13**

February 13, 2001 - Offered by Representatives KRAWCZYK and FOTI.

1 At the locations indicated, amend the joint resolution as follows:

2 1. Page 4, line 6: delete the material beginning with "by the electors" and
3 ending with "for the term of 4 years" on line 7 and substitute "by the electors of each
4 county, for the term of 4 years".
5

(END)

1 (5) The supreme court shall appoint its own clerk, and may appoint a clerk of
2 the circuit court ~~may be appointed a to be the~~ clerk of the supreme court.

3 **SECTION 6.** Section 12 (2) of article VII of the constitution is created to read:

4 [Article VII] Section 12 (2) Beginning with the first general election at which
5 the governor is elected which occurs after the ratification of this subsection, a clerk
6 of circuit court shall be chosen ~~by the electors of all of the respective counties~~
7 ~~comprising each circuit for the term of 4 years,~~ subject to removal as provided by law.

8 **SECTION 7. Numbering of new provisions.**

9 (1) The new paragraph (b) of subsection (1) of section 4 of article VI of the
10 constitution created in this joint resolution shall be designated by the next higher
11 open paragraph letter in that subsection in that section in that article if, before the
12 ratification by the people of the amendment proposed in this joint resolution, any
13 other ratified amendment has created a paragraph (b) of subsection (1) of section 4
14 of article VI of the constitution of this state. If one or more joint resolutions create
15 a paragraph (b) of subsection (1) of section 4 of article VI simultaneously with the
16 ratification by the people of the amendment proposed in this joint resolution, the
17 paragraphs created shall be numbered and placed in a sequence so that the
18 paragraphs created by the joint resolution having the lowest enrolled joint resolution
19 number have the letters designated in that joint resolution and the paragraphs
20 created by the other joint resolutions have letters that are in the same ascending
21 order as are the numbers of the enrolled joint resolutions creating the paragraphs.

22 (2) The new paragraph (c) of subsection (1) of section 4 of article VI of the
23 constitution created in this joint resolution shall be designated by the next higher
24 open paragraph letter in that subsection in that section in that article if, before the
25 ratification by the people of the amendment proposed in this joint resolution, any

1 other ratified amendment has created a paragraph (c) of subsection (1) of section 4
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4 ratification by the people of the amendment proposed in this joint resolution, the
5 paragraphs created shall be lettered and placed in a sequence so that the paragraphs
6 created by the joint resolution having the lowest enrolled joint resolution number
7 have the letters designated in that joint resolution and the paragraphs created by
8 the other joint resolutions have letters that are in the same ascending order as are
9 the numbers of the enrolled joint resolutions creating the paragraphs.

10 (3) The new subsection (2) of section 12 of article VII of the constitution created
11 in this joint resolution shall be designated by the next higher open whole subsection
12 number in that section in that article if, before the ratification by the people of the
13 amendment proposed in this joint resolution, any other ratified amendment has
14 created a subsection (2) of section 12 of article VII of the constitution of this state.
15 If one or more joint resolutions create a subsection (2) of section 12 of article VII
16 simultaneously with the ratification by the people of the amendment proposed in this
17 joint resolution, the subsections created shall be numbered and placed in a sequence
18 so that the subsections created by the joint resolution having the lowest enrolled joint
19 resolution number have the numbers designated in that joint resolution and the
20 subsections created by the other joint resolutions have numbers that are in the same
21 ascending order as are the numbers of the enrolled joint resolutions creating the
22 subsections.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

(END)

2003 ASSEMBLY JOINT RESOLUTION

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~~test~~
run
redraft

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Today

- 1 To amend so as in effect **to repeal** section 4 (3) (c) of article VI; **to renumber and**
- 2 **amend** section 4 (1) of article VI and section 12 of article VII; **to amend** section
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SECTION 2. Section 4 (1) (b) and (c) of article VI of the constitution are created to read:

[Article VI] Section 4 (1) (b) Beginning with the first general election at which the governor is elected which occurs after the ratification of this paragraph, sheriffs shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years and coroners in counties in which there is a coroner shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years.

(c) Beginning with the first general election at which the president is elected which occurs after the ratification of this paragraph, district attorneys, registers of deeds, clerks, and treasurers shall be chosen by the electors of the respective

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5 the respective counties comprising each combination of counties combined by the
6 legislature for that purpose, for the term of 4 years.

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8 effect to repeal said paragraph:

9 [Article VI] Section 4 (3) (c) ~~Beginning with the first general election at which~~
10 ~~the governor is elected which occurs after the ratification of this paragraph, sheriffs~~
11 ~~shall be chosen by the electors of the respective counties once in every 4 years.~~ county

12 SECTION 4. Section 4 (4) of article VI of the constitution is amended to read:

13 [Article VI] Section 4 (4) The governor may remove any elected county officer
14 mentioned in this section except a clerk, treasurer, or surveyor, giving to the officer
15 a copy of the charges and an opportunity of being heard.

16 SECTION 5. Section 12 of article VII of the constitution is renumbered section
17 12 (1) of article VII and amended to read:

18 [Article VII] Section 12 (1) There shall be a clerk of the circuit court chosen in
19 each county organized for judicial purposes by the qualified electors thereof, who,
20 except as provided in sub. (2), shall hold his office for two years, subject to removal
21 as shall be provided by law; ~~in.~~

22 (3) In case of a vacancy, the judge of the circuit court ~~shall have power to~~ may
23 appoint a clerk until the vacancy shall be is filled by an election; ~~the.~~

24 (4) The clerk thus elected or appointed of circuit court shall give such security
25 as the legislature ~~may require~~ requires by law.

1 (5) The supreme court shall appoint its own clerk, and may appoint a clerk of
2 the circuit court ~~may be appointed a~~ to be the clerk of the supreme court.

3 **SECTION 6.** Section 12 (2) of article VII of the constitution is created to read:

4 [Article VII] Section 12 (2) Beginning with the first general election at which
5 the governor is elected which occurs after the ratification of this subsection, a clerk
6 of circuit court shall be chosen by the electors of each county, for the term of 4 years,
7 subject to removal as provided by law.

8 **SECTION 7. Numbering of new provisions.** (1) The new paragraph (b) of
9 subsection (1) of section 4 of article VI of the constitution created in this joint
10 resolution shall be designated by the next higher open paragraph letter in that
11 subsection in that section in that article if, before the ratification by the people of the
12 amendment proposed in this joint resolution, any other ratified amendment has
13 created a paragraph (b) of subsection (1) of section 4 of article VI of the constitution
14 of this state. If one or more joint resolutions create a paragraph (b) of subsection (1)
15 of section 4 of article VI simultaneously with the ratification by the people of the
16 amendment proposed in this joint resolution, the paragraphs created shall be
17 numbered and placed in a sequence so that the paragraphs created by the joint
18 resolution having the lowest enrolled joint resolution number have the letters
19 designated in that joint resolution and the paragraphs created by the other joint
20 resolutions have letters that are in the same ascending order as are the numbers of
21 the enrolled joint resolutions creating the paragraphs.

22 (2) The new paragraph (c) of subsection (1) of section 4 of article VI of the
23 constitution created in this joint resolution shall be designated by the next higher
24 open paragraph letter in that subsection in that section in that article if, before the
25 ratification by the people of the amendment proposed in this joint resolution, any

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10 (3) The new subsection (2) of section 12 of article VII of the constitution created
11 in this joint resolution shall be designated by the next higher open whole subsection
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13 amendment proposed in this joint resolution, any other ratified amendment has
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19 resolution number have the numbers designated in that joint resolution and the
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21 ascending order as are the numbers of the enrolled joint resolutions creating the
22 subsections.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

(END)

Barman, Mike

From: Raschka, Adam
Sent: Friday, January 03, 2003 10:30 AM
To: LRB.Legal
Subject: Draft review: LRB-0633/2 Topic: 4-year terms of office for certain county officers

It has been requested by <Raschka, Adam> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-0633/2 Topic: 4-year terms of office for certain county officers